



1258948 - R8 SDMS

Mayor Roll, Fellow Council members, staff and legal advisors;

In the spirit of full disclosure I have some information to pass on. I have been collecting information which I believe has become vital to the discussion on the Export Plant (OU-1), owned by the City of Libby. I cannot go into specific detail without risk of jeopardizing the investigation.

You all know that I filed a complaint on this issue with the Office of Inspector General (OIG) in November of 2009. Some of the information in that complaint is going to disrupt our negotiations with EPA on the disposition of OU-1. Some of the information that I have provided to the OIG in the interim is going to have legal ramifications concerning the involvement of the principals included in the negotiations, including our legal advisors.

Much of the information I supplied goes to the credibility of the people we deal with at EPA. Specifically, I have questioned whether we can trust that the information provided by EPA is scientifically supported and complete, consistent with concerns identified in the Rumple Report. We need this information to be comprehensive and credible in order to protect the people we serve.

I have asserted that Mayor Roll has aided in the suppression of evidence in this issue. This has interfered with the ability of the Council to make informed decisions.

I have asserted that three Councilpersons have a legal conflict of interest as defined in Montana Codes relating to their employment. This disrupted the ability of the City of Libby to comment on the Record of Decision related to restoration compensation when they voted to remove this item from our comments.

I have requested legal opinions, they have not come forth. I have asserted that our legal advisors have been compromised in their ability to give us good advice because of political corruption. EPA is using that compromised advice to deny restoration.

I have asserted that the general public, maintenance workers and our first responders have been exposed for years to a substance of unknown toxicity because of our dysfunction.

Clearly, these issues must come to resolution before we commit to any final plans on OU-1. The investigation should resolve most of these issues.

I am going to ask the Council to take no final action and request EPA to halt all activities on OU-1 until we can be sure the information we are using to move ahead is supported by science, comprehensive and complete to ensure protection of human health, and that political influence has not harmed our ability to do our jobs.

Thank you for your consideration in this important matter.

Sincerely, Councilman DC Orr